

Message Text

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71

ACTION EUR-25

INFO OCT-01 ISO-00 SR-02 ORM-03 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 IO-14 DRC-01 /121 W

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FM USMISSION BERLIN

TO SECSTATE WASHDC 3672

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: PGOV PFOR WB GE

SUBJECT: GDR AGAIN PUBLICIZES PUNISHMENT OF EXFILTRATORS

REF: BERLIN 265; BERLIN A-270, DECEMBER 3, 1970

1. GDR HAS ONCE AGAIN REVERTED TO PRACTICE OF PUBLICIZING SENTENCES METED OUT IN EXFILTRATION CASES. IN PAST WEEK NEUES DEUTSCHLAND (ND)REPORTED SEVERAL TIMES ON SENTENCING OF WEST BERLIN RESIDENTS ON CHARGES OF "CRIMINAL TRADE IN HUMAN BEINGS" AND MISUSE OF TRANSIT AGREEMENT ON "INTERNATIONAL TRANSIT ROUTES." THIS MOST RECENT SPATE OF ANNOUNCEMENTS WAS SUPPLEMENTED BY AN ARTICLE IN RECENT ISSUE OF EAST GERMAN PERIODICAL "NEW JUSTICE" BY TOEPLITZ, PRESIDENT OF GDR SUPREME COURT. TOEPLITZ THREATENED EXFILTRATORS WITH SEVERE PUNISHMENT, MAINTAINING SUCH JUDGMENTS WOULD SERVE CAUSE OF EUROPEAN COOPERATION AND "PROTECTION OF GDR STATE BORDERS."

2. COMMENT. WHILE CURRENT GDR CAMPAIGN CLEARLY IS INTENDED
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TO DETER POTENTIAL DEFECTORS AND THEIR HELPERS, WE DO NOT

KNOW WHETHER IT AIMED AT CONTINUING PROBLEM OR WHETHER IT
INTENDED TO PRECLUDE POSSIBLE STEP-UP IN EXFILTRATION
ACTIVITIES DURING CURRENT VACATION PERIOD WHEN TRAFFIC ON
TRANSIT ROUTES HEAVIER THAN NORMAL. INFORMATION AVAILABLE FROM
WEST BERLIN SOURCES INDICATES THAT JUST ANNOUNCED TRIALS OF CON-
VICTED EXFILTRATORS OCCURRED IN GDR TWO OR MORE MONTHS AGO
AND THAT, IN CASE OF OLIVER MIERENDORF AND ULRICH EFFERT,
CULPABLE INDIVIDUALS WERE TAKEN INTO EAST GERMAN CUSTODY IN
SEPTEMBER 1973. INDEED, MIERENDORF, BROTHER OF LEADER
OF WEST BERLIN EXFILTRATION ORGANIZATION, TESTIFIED IN SHOW
TRIAL OF NOVEMBER 1973 (REFAIR); HIS TESTIMONY, HOWEVER, DID
NOT EARN HIM A REDUCED SENTENCE. OF ALL CASES JUST ANNOUNCED,
MIERENDORF ONLY ONE TO RECEIVE MAXIMUM PENALTY OF 15 YEARS.KLEIN

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